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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/760,184	01/21/2004	Kia Silverbrook	RRA29US	3300
24011 7590 03/22/2007 SILVERBROOK RESEARCH PTY LTD 393 DARLING STREET BALMAIN, 2041 AUSTRALIA			EXAMINER GARCIA JR, RENE	
			ART UNIT	PAPER NUMBER
			2853	
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		03/22/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/760,184	Applicant(s) SILVERBROOK, KIA	
	Examiner Rene Garcia, Jr.	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-6 and 9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2-6 and 9 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 9 is objected to because of the following informalities: "each all" at line 4, each or all should be deleted. Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In particularly the amendment with regards to "an area that encompasses, and the outlet positions for all the printing fluid dispensers in the rage"; examiner is unsure what is to be encompassed and how the outlet positions are related with regard to claim. Following rejection is based on assumption the connector region encompasses the outlet positions for purposes of examination.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 9, 2, 4, 5, 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Komplin et al. (US 6,199,977).

Komplin et al. discloses the following claimed limitations:

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*regarding claim 9, printing fluid dispensing system/**ink cartridges, 12/** comprising:

*range of printing fluid dispensers/**12/**, each printing fluid dispenser in the range containing a different type of printing fluid respectively (fig. 2; col. 2, line 67; col. 6, lines 33-41; cartridge for magenta, cyan, yellow and black ink)

*all of the printing fluid dispensers/**12/** having a feature/**keying member, 50/** (fig. 5) configured to engage a complementary formation on an inkjet printer component/**cartridge body, 10 & printhead, 14/** (col. 2, line 65- col. 3, line 11) that can engage any of the individually engage the inkjet printer component/**10,14/** at a single predetermined position on the component (each cartridge/**12/** has a unique keying member/**50/** that is associated with a slot/**136,138,140/** fig. 5; col. 6, lines 33-51)

*component/**10,14/** having a range of printing fluid inlets/**needle, 24 and valve seal assembly, 26/** (col. 3, lines 12-21; fig. 1,4), one of the printing fluid inlets for each of the different types of printing fluids respectively

*each of the printing fluid inlets/**24,26/** being at a different position on the component/**10,14/** (fig. 2, each position is with regards to different type of ink)

*each of the printing fluid dispensers/**12/** has an outlet/**boss, 30/** for dispensing printing fluid (fig. 1; col.3, lines 22-29)

*wherein, the outlet/**30/** is positioned for establishing a fluid connection with the printing fluid inlet/**24,26/** on the component/**10,14/** corresponding to the type of printing fluid contained in the printing fluid dispenser (fig. 1; col.3, lines 22-29; col. 6, lines 35-51)

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*regarding claim 2, inkjet printer component/10, 14/ is a removable inkjet printer cartridge (col. 3, line 1; inkjet printheads/14/ can be semi-permanent; col. 6, lines 22-31; col. 1, lines 31-35 - cartridge body/10/ mounted to a carriage)

*regarding claim 4, feature is a lug protruding/keying member, 50/ (col. 3, lines 46-54; col. 6, lines 46-50) dispenser/12/

*fixed formation on the inkjet printer component/10,14/ is a recess (fig. 2; identified as reference 50) having a complementary shape (col. 6, lines 46-50)

*regarding claim 5, each of the printing fluid dispensers/12/ have a connector region/boss, 30/ defining an area that encompasses, and the outlet/30/ positions for all the printing fluid dispensers in the range (the cartridges/12/ have boss/30/ to engage with valve needle/24/ and valve seal assembly/26/ on cartridge body/10/ thus each outlet encompasses the connector region)

*regarding claim 6, different type of printing fluid include a range of colored inks to facilitate color printing (col. 6, lines 37-38; 41-44)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Komplin et al. (US 6,199,977) in view of Waller et al. (US 6,250,738).

Komplin et al. disclose all of the claimed limitation except for the following:

*regarding claim 3, removable inkjet printer cartridge includes a pagewidth printhead

Waller et al. disclose the following:

*regarding claim 3, removable inkjet printer cartridge includes a pagewidth printhead/**page-wide-array printhead**/ (col. 1, line 56) (fig. 1; includes inkjet printhead assembly/12/, ink supply assembly/14/, and mounting assembly/16/)

It would have been obvious at the time the invention was made to a person having ordinary skill in the art to utilize a removable inkjet printer cartridge includes a pagewidth printhead as taught by Waller et al. into Komplin et al. for the purpose of printing one or more lines at a time.

Response to Arguments

8. Applicant's arguments filed 26 September 2006 have been fully considered but they are not persuasive. It is first noted that no official arguments are presented with claims filed 21 December 2006 and is under assumption that since claim 9, claims of 12/21/06, is similar to that of claim 8, claims of 9/26/06, that arguments filed on 26 September 2006 are still relevant, please advise otherwise if this is not the case.

9. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "...allows a range of dispensers can engage the inkjet printer at the **same position** while ensuring....";

arguments filed 9/26/06) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). While claim 9 does further narrow that "...printing fluid dispensers individually engage the inkjet printer component at a single predetermined position on the component..." it still fails to properly limit that the "single predetermined position" is the same position for each of the printing fluid dispensers. Interpretation of the claim, as presented in above rejection, is that each printing fluid dispenser (ink cartridges,12) engages component (**cartridge body, 10 & printhead,14**) at a predetermined position (slot associated with its specific keying features), but that the claim still allows for each position to be different for each different type of printing fluid dispenser.

Conclusion

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Communications with the USPTO

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rene Garcia, Jr. whose telephone number is (571) 272-5980. The examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Rene Garcia, Jr.
03/07


STEPHEN MEIER
SUPERVISORY PATENT EXAMINER